

**CHAPTER NO. 149**

**HOUSE BILL NO. 3403**

**By Representative Windle**

**Substituted for: Senate Bill No. 3403**

**By Senator Davis**

AN ACT to amend Chapter 251 of the Private Acts of 1972, as amended by Chapter 39 of the Private Acts of 1987, Chapter 160 of the Private Acts of 1994, and any other acts amendatory thereto, to divide Fentress County into school districts, and to provide for the number, election and terms of members of the Fentress County Board of Education.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 251 of the Private Acts of 1972, as amended by Chapter 39 of the Private Acts of 1987, Chapter 160 of the Private Acts of 1994, and any other acts amendatory thereto, is further amended in Section 4 by deleting the section in its entirety and substituting the following:

Section 4. BE IT FURTHER ENACTED, That the qualified voters of Fentress County shall elect a County Board of Education to be composed of ten (10) members, elected to terms of four (4) years, except as provided otherwise in this act for purposes of transition. Two (2) members shall be elected from each school district. Terms shall be staggered so that one (1) member from each district is elected at each regular August election. The members of the Board of Education shall be at least twenty-one (21) years of age, citizens of the United States and the State of Tennessee and residents of the district in Fentress County which they represent.

SECTION 2. Chapter 251 of the Private Acts of 1972, as amended, is further amended by adding the following at the end of Section 6:

At the August 1998 election, one (1) member from each of the five (5) school districts shall be elected for a term of two (2) years and one (1) member of each of the five (5) school districts shall be elected for a term of four (4) years. The candidate receiving the greatest number of votes in each school district shall be elected to a four (4) year term, and the candidate receiving the second greatest number of votes in each school district shall be elected to a two (2) year term. After the August 1998 election, all members shall be elected to four (4) year terms.

SECTION 3. Incumbent members with two (2) years remaining on their terms shall continue to serve in office until their successors are elected and qualified in accordance with this act, and the additional member elected from such districts as herein authorized shall serve a four (4) year term beginning September 1, 1998.

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application and to that end the provisions of this act are declared to be severable.

SECTION 5. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the County Legislative Body of Fentress County. Its approval or non-

approval shall be proclaimed by the Presiding Officer of the County Legislative Body of Fentress County and so certified to the Secretary of State.

SECTION 6. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 5.

**PASSED: April 20, 1998**

  
JIMMY RAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

**APPROVED this 28th day of April 1998**

  
DON SUNDQUIST, GOVERNOR